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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/742,939	12/23/2003	Hitoshi Yamauchi	1405.1080	7139

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EXAMINER

NGUYEN, DUC M

ART UNIT PAPER NUMBER

2618

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/742,939

Applicant(s)

YAMAUCHI ET AL.

Examiner

Duc M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/23/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### **Information Disclosure Statement**

1. The references listed in the information disclosure statements submitted on 12/23/03 has been considered by the examiner (see attached PTO-1449).

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following **title** is suggested: "An improved method and apparatus for presenting assistance data in a communication (or video) conference system".

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

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disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract is too long and fails to clearly point out the improvement subject matter in a video conference system. Accordingly, a new abstract is suggested below

#### **New Abstract**

The present invention provides a communication assistance process that is performed by a communication assistance device connected to a plurality of user terminals via a network. During a communication (or video) conference call, when assistance data associated with a topic in the conference is provided to a plurality of user terminals in the form of a voice data, the communication assistance process adjusts the sound volume of voice data in the assistance data if it was determined that voice data is included in the communication data received from the plurality of user terminals, and if voice data is also included in the assistance data, the assistance data that includes sound volume adjusted voice data is then provided to the plurality of user terminals. Accordingly, the communication assistance process allows communications in a conference system to proceed smoothly.

#### ***Claim Objections***

5. Claims 1-14 are objected to as for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claims 1, 12-14, a preamble for distinctly pointing out the subject matter should be included for the claims. For example, "A communication assistance process performed by a communication assistance device connected to a plurality of user terminals **in a conference system**, the communication assistance process comprising the steps of : ..... claimed limitations .....".

Appropriate correction is required.

***Allowable Subject Matter***

6. Claims 1-14 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

7. The following is a statement of reasons for the indication of allowable subject matter:

This instant application directs to a non-obvious feature improvement over the cited prior art for presenting assistance data to a plurality of user terminals in a conference system. The non-obvious feature comprises the steps of determining whether or not voice data is included in the received communication data and determining whether or not voice data is included in the assistance data, adjusting the sound volume of voice data in the assistance data if it was determined that voice data is included in the communication data received from the plurality of user terminals, and if voice data is also included in the assistance data, the assistance data that includes sound volume adjusted voice data is then provided to the plurality of user terminals. This patentability is included in independent claims 1, 12-14.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Kondo et al** (US 6,606,111), Communication apparatus and method thereof.

**Brown et al** (US 7,065,198), System and method for volume control management in a personal telephony recorder.

**Iizawa** (US 6,008,838), Multi-point video conference system.

**Vanderwilt et al** (US 6,693,661), Conference system having an embedded web server, and method of use thereof.

**Dunn et al** (US 5,916,302), Multimedia conferencing using parallel network.

**Nelson et al** (US 2004/0008249), Method and apparatus for controllable conference content via back-channel video interface.

**Logan et al** (US 5,732,216), Audio message exchange system.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(571) 273-8300 (for **formal** communications intended for entry)

(571)-273-7893 (for informal or **draft** communications).

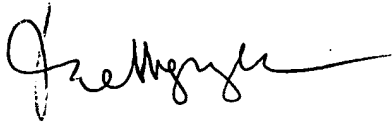
Hand-delivered responses should be brought to Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

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Any inquiry concerning this communication or communications from the examiner should be directed to Duc M. Nguyen whose telephone number is (571) 272-7893, Monday-Thursday (9:00 AM - 5:00 PM).

Or to Matthew Anderson (Supervisor) whose telephone number is (571) 272-4177.

Duc M. Nguyen, P.E.

A handwritten signature in black ink, appearing to read 'Duc M. Nguyen', written over the printed name.

Aug 31, 2006